

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3908 of 2018

- Raju@ Girish Dewangan S/o Shri Ganeshram Dewangan, Aged About 24 Years, Resident Of Near Santoshi Mandir, Champa, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Champa, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

----Non-applicant

For Applicant – Shri Ashutosh Trivedi, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 01-02-2018 in connection with Crime No.41/18 registered at P.S. -Champa, District Janjgir-Champa, Chhattisgarh for the offence under Section 399, 402 of the IPC and Section 25(1-B) of Arms Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 01-02-2018. No case is made out against this applicant. Similarly placed co-accused Maddasir Ansari has been granted bail by this Court in MCRC No.1731 of 2018 vide order dated 25-04-2018. Hence, it is prayed that the applicant may also be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident the applicant along with four other persons was present on the spot and this applicant was armed with a sword. It is alleged that this applicant and the co-accused

persons were preparing to commit offence of dacoity. Therefore, the applicant and others were arrested. Hence, this case.

6. After consideration on the material present in the case diary and also on the fact that similarly placed co-accused has been granted bail, I this applicant deserves to be released on regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge